

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Michael Miskovski	Team: Squad #3	CCRB Case #: 202006429	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 09/19/2020 5:15 PM	Location of Incident: Across from 1 Police Plaza on Pearl Street between Park Row and Madison Street	Precinct: 05	18 Mo. SOL 3/19/2022	EO SOL 5/4/2022	
Date/Time CV Reported Tue, 09/22/2020 7:24 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 09/22/2020 7:24 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM Stephen Centore	31854	936328	DCU TACT TRN
3. An officer			

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT Matthew Tocco	02725	940805	DIS CTL
2. POM Jonathan Guillen	04327	964539	024 PCT
3. POM Oscar Melendez	26695	941076	DIS CTL
4. POM Jason Brown	25414	950109	DIS CTL
5. LT Louis Sojo	00000	920854	SRG 1
6. SGT David Martinez	03627	947219	DIS CTL
7. POM Sean Fielding	29363	930145	C R C
8. DT3 DAVID RAMOS	00905	947832	T.A.R.U
9. PO NICHOLAS PANNULLA	29550	955293	PB CAD
10. CPT DAVID MILLER	00000	911741	DIS CTL
11. DI JASON HARRELL	00000	915866	CT UNIT
12. PO JOHN SEDDO	04037	954326	MELD

Officer(s)	Allegation	Investigator Recommendation
A. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b) a § 87(2)(b)	
B. An officer	Off. Language: An officer made remarks to § 87(2)(b) a § 87(2)(b) based upon the gender of § 87(2)(b) a § 87(2)(b)	
C. Officers	Abuse: Officers threatened to arrest individuals.	
D. Officers	Abuse: Officers threatened to arrest § 87(2)(b)	
E. Officers	Abuse: Officers threatened to arrest § 87(2)(b)	
F. Officers	Discourtesy: Officers spoke discourteously to individuals.	
G. Officers	Discourtesy: Officers spoke discourteously to § 87(2)(b)	
H. Officers	Discourtesy: Officers spoke discourteously to § 87(2)(b)	
I. Officers	Force: Officers used physical force against individuals.	
J. Officers	Force: Officers used physical force against § 87(2)(b)	
K. Officers	Force: Officers used physical force against § 87(2)(b)	
L. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
M. Officers	Force: Officers used physical force against § 87(2)(b)	
N. Officers	Force: Officers used physical force against § 87(2)(b)	
O. An officer	Force: An officer used physical force against § 87(2)(b)	
P. Officers	Force: Officers used physical force against § 87(2)(b)	
Q. Officers	Force: Officers used physical force against § 87(2)(b)	
R. An officer	Abuse: An officer threatened to arrest § 87(2)(b)	
S. An officer	Discourtesy: An officer spoke discourteously to § 87(2)(b)	
T. An officer	Force: An officer used physical force against § 87(2)(b)	
U. An officer	Force: An officer used physical force against § 87(2)(b)	
V.POM Stephen Centore	Force: Police Officer Stephen Centore used physical force against § 87(2)(b)	
W.POM Stephen Centore	Force: Police Officer Stephen Centore used physical force against § 87(2)(b)	
X.POM Stephen Centore	Force: Police Officer Stephen Centore used physical force against § 87(2)(b)	

Case Summary

On September 22, 2020, § 87(2)(b) filed this complaint via the CCRB website on behalf of herself and other individuals participating in a protest with her: § 87(2)(b) and other unidentified individuals. During the CCRB intake process, an intake investigator located § 87(2)(b) as a potential victim via twitter links from the news coverage of the incident. On September 29, 2020, complainant-witness § 87(2)(b) filed a duplicate complaint for the incident on behalf of herself with the NYC Mayor's Office. The CCRB received § 87(2)(b)'s complaint on November 6, 2020.

On September 19, 2020, at approximately 3:00 p.m., several groups of protestors organized an ad hoc meeting at 1 Police Plaza near the intersection of Peral Street and Park Row in Manhattan in response to the mass arrest of protestors in Times Square earlier in the day. Approximately 30 protestors gathered on the sidewalk to provide "jail support" and moral support for the arrestees who were brought to the facility for processing. Among the protestors were § 87(2)(b)

and § 87(2)(b) were also witnesses who participated in the protest. Officers in regular uniform (an unknown precinct), a Strategic Response Group (SRG) Mobile Force, Counterterrorism Unit, and NYPD Legal Bureau responded to the area. NYPD Central Command called Deputy Inspector Jason Harrell of Counterterrorism Unit to lead and coordinate the officers at the location. The protestors chanted and occasionally walked back and forth to the fence at 1 Police Plaza across the street from the sidewalk.

During these interactions, an unidentified officer in regular uniform approached § 87(2)(b) conversed with her and at one point, allegedly called her a "bitch," (**Allegations A-B: Discourtesy, Offensive Language,** § 87(2)(g)). During that time, several officers told the protestors to leave the area on Pearl Street or they would be arrested (**Allegation C-E: Abuse of Authority,** § 87(2)(g)). Once DI Harrell received advice from the NYPD Legal Bureau, he instructed officers to move the protestors. The officers all coalesced at the north end of Pearl Street and began to march toward the protestors, telling them to go southward onto Madison Street where another group of protestors had formed behind a line of police barricades at the intersection. The officers allegedly shouted such phrases as "Get out of the way! Get off the sidewalk. Fucking move! Back the fuck up!" and words like, "asshole" and "pieces of shit" in reference to the protestors (**Allegation F-H: Discourtesy,** § 87(2)(g)). The officers also pushed the protestors to get them to move faster along the sidewalk (**Allegation I: Force,** § 87(2)(g)). § 87(2)(b) also felt officers push against her back (**Allegation J: Force,** § 87(2)(g)). § 87(2)(b) alleged that officers shoved him while he attempted to walk with his bicycle as well (**Allegation K: Force,** § 87(2)(g)).

During this interaction, § 87(2)(b) walked with his bicycle at the rear-end of the group of protestors. A patrol officer allegedly told § 87(2)(b) "You need to get the fuck out of here and move fucking faster," (**Allegation L: Discourtesy,** § 87(2)(g)). § 87(2)(b) challenged the officer to a fight. Approximately eight to nine patrol officers then grabbed § 87(2)(b) and tried to pull him from his bicycle (**Allegation M: Force,** § 87(2)(g)). § 87(2)(b) resisted, and the officers allegedly began to punch his torso and back (**Allegation N: Force,** § 87(2)(g)). The first officer, who § 87(2)(b) had challenged to a fight, then allegedly punched § 87(2)(b) in the face twice (**Allegation O: Force,** § 87(2)(g)). The group of officers pulled § 87(2)(b) off his bicycle and took him to the ground and allegedly began to punch and kick him while he was on the ground (**Allegations P-Q: Force,** § 87(2)(g)). The officers handcuffed § 87(2)(b) and led him into 1 Police Plaza.

While unformed officers were occupied with § 87(2)(b) the SRG 1 bicycle officers, including Captain David Miller, Lieutenant Louis Sojo, Sergeants Matthew Tocco and David Martinez, Police Officers Nicholas Pannulla, Steven Centore, John Seddo, Oscar Melendez, Jason Brown, Sean Fielding, surrounded the protestors and created a barrier with their bicycles to prevent

their further movement. § 87(2)(b) who is an attorney, tried to speak with some of the patrol officers, telling them that she was an attorney and was allegedly allowed to be present. An officer allegedly told her in response, “If you don’t move, you’ll get arrested too. I know you’re an attorney. I don’t give a fuck who you are. I don’t care and I’ll arrest you too,” (**Allegations R-S: Abuse of Authority and Discourtesy**, § 87(2)(g)). Meanwhile, § 87(2)(b) tried to evade the officers and run past them. An officer then allegedly grabbed § 87(2)(b) by her hair to pull her to the ground and shoved her onto the ground (**Allegations T-U: Force**, § 87(2)(g)). § 87(2)(b) watched officers handcuff § 87(2)(b) and tried to break through the SRG officer’s barricade near PO Centore and PO Seddo. § 87(2)(b) attempted to reach past PO Centore, but PO Centore waived her away her arm and pushed her (**Allegation V: Force**, § 87(2)(g)). However, § 87(2)(b) and PO Centore became hooked together. PO Centore pulled § 87(2)(b) causing her to fall down onto his bicycle (**Allegation W: Force**, § 87(2)(g)). PO Centore then pulled § 87(2)(b) over his bicycle and handcuffed her (**Allegation X: Force**, § 87(2)(g)). Officers removed § 87(2)(b) to 1 Police Plaza for processing of her summonses.

Once the scuffle with the protestors concluded, issued criminal court summonses to § 87(2)(b) (#§ 87(2)(b) § 87(2)(b) (#§ 87(2)(b) § 87(2)(b) (#§ 87(2)(b) and § 87(2)(b) (#§ 87(2)(b) for congregating with other persons in public and refusing to disperse by lawful police order and removed them to 1 Police Plaza for processing (**BR 01**). The other protestors were allowed to walk and join the group of protestors at the Madison Street intersection and were not arrested or issued summonses.

The investigation received body-worn camera (BWC) footage from PO Melendez, Sgt. Tocco, PO Brown, Lt. Sojo, Sgt. Martinez, PO Fielding, PO Pannulla, PO Seddo, PO Brown, and PO Centore (**BR 02-11**). The investigation received surveillance video footage from TARU at 1 Police Plaza (**BR 12-14**). The investigation also recovered videos from Twitter from § 87(2)(b) (**BR 15**) and several videos from user § 87(2)(b) (**BR 16-20**). § 87(2)(b) provided a video from Instagram as well (**BR 21**).

Findings and Recommendations

Allegation (A) Discourtesy: An officer spoke discourteously to § 87(2)(b)

Allegation (B) Offensive Language: An officer made remarks to § 87(2)(b) based upon the gender of § 87(2)(b)

Allegation (C) Abuse of Authority: Officers threatened to arrest individuals.

Allegation (D) Abuse of Authority: Officers threatened to arrest § 87(2)(b)

Allegation (E) Abuse of Authority: Officers threatened to arrest § 87(2)(b)

It is undisputed that on September 19, 2020, at approximately 3:00 p.m., protestors gathered along Pearl Street near the intersection with Park Row in Manhattan to show support for other protestors arrested in Times Square earlier in the day. The number of protestors was estimated by all parties as approximately between 30 to 50 people. This group chanted and occasionally shouted anti-police slogans while they were gathered in the area for approximately two hours. Occasionally the protestors walked from the sidewalk to the fence that separated the parking area of 1 Police Plaza where arrestees from Times Square were being dropped off arrest buses and vans for processing. Finally, it is undisputed that there was a presence of uniformed police officers present at the location along with SRG officers in yellow-vests and bicycles, along with uniformed counterterrorism officers.

The investigation identified the involved protestors from lists provided by § 87(2)(b) and through searches of social media. The unidentified protestors were individuals not known to the interviewed complainants, victims, and witnesses, and individuals that the investigation was not able to identify through social media searches. The investigation attempted to identify them by asking the above listed participants and through social media searches linked to the protest. The

Booking and Arraignment System (BADs) search did not have any arrests at 1 Police Plaza for the day, and the only arrest within the confines of the 5th Precinct was unrelated (**BR 69**). The Summons Log for the 5th Precinct does not list other victims aside from the individuals that the investigation already identified (**BR 01**). The Mass Arrest Report from Criminal Justice Bureau (CRJ) lists 79 individuals and does not separate them by location of arrest, so the investigation was unable to determine if the arrestees were from Times Square, 1 Police Plaza, or Foley Square (**BR 63**). The Command Log from CRJ contains the same individuals with no other information as well.

In her CCRB interview, § 87(2)(b) stated that while the protestors stood around on the sidewalk, uniformed officers occasionally approached the group and spoke with individual protestors or address the group (**BR 22**). The protestors shouted slogans to boost the morale of the people brought from Times Square who had arrived in the parking area in the arrest buses. At one point, § 87(2)(b) told an officer to quit his job. § 87(2)(b) could not hear what the officer said in response but believed that she heard that officer call § 87(2)(b) a “bitch.” § 87(2)(b) described the officer as a white male in a blue uniform, standing 6’4” tall, with brown hair, “weathered face,” and a small stomach, appearing to be in his 40s to 60s. After a few more hours, at approximately 4:30 p.m., the officers approached the group and told the protestors that they had to leave because they were in a frozen zone. The uniformed officers told the group, “If you are not going to move, you’re going to get thrown inside,” and § 87(2)(b) believed that the officers meant the protestors would be arrested.

§ 87(2)(b) did not cooperate with the investigation and stopped responding to contact attempts after stating that she did not feel comfortable providing a statement (**BR 23**).

In his CCRB interview, § 87(2)(b) provided a statement consistent with § 87(2)(b) but it was much less detailed (**BR 24**). He stated that he did not witness the interaction with § 87(2)(b). § 87(2)(b) explained that while they waited, an officer walked up to the protestors and told them that they had to leave. When the group responded that they had the right to be present at the location, the officer responded, “Well, you could be arrested if you don’t leave.” § 87(2)(b) described the officer as a white male in a blue uniform, standing 6’ tall, with dark hair, a medium build, who appeared to be in his mid-30s.

In her CCRB interview, § 87(2)(b) provided a statement consistent with § 87(2)(b) and § 87(2)(b) (**BR 25**). § 87(2)(b) did not see the interaction with § 87(2)(b). § 87(2)(b) saw an officer tell a random protestor on a bicycle, “Go on or do you want me to arrest you too?” This officer was a white male in a blue uniform, standing 6’ tall, with salt and pepper hair, an average build, and he appeared to be in his 50s.

None of the other civilians witnessed an interaction with § 87(2)(b) and an officer nor did they state that they witnessed officers threaten to arrest the protestors at this point in the incident (**BR 26-30**).

In his CCRB interview, DI Harrell stated that he was called to 1 Police Plaza by Central Dispatch Operations to manage a group of disorderly protestors at the location (**BR 31**). He did not know the identities of the uniformed patrol officers nor their commands or precincts. He could not recall any other commanding officers present. He noted that he was in charge of the entire group as a whole, as the Deputy Inspector. He believed that some of the officers were from Counterterrorism Unit as well, but not DI Harrell’s specific sub-command. He noted that his main command within counterterrorism is as a coordinator which works with data and logistics, therefore he does not command Counterterrorism Unit officers on a regular basis. DI Harrell stated he did not witness any officer call any of the protestors a “bitch” nor did he witness any officers tell the protestors that they could be arrested at the beginning of the incident (**BR 31**).

In his CCRB interview, PO Centore noted that he and the other SRG officers were a part of a bicycle team that was assigned to a task force within Patrol Borough Manhattan South (PBMS) (**BR 32**). He did not know any of the other officers within the task force. He only remembered that his team was present at Times Square earlier in the day, and then one of the commanding officers received a call to go to 1 Police Plaza. He did not know the command of the uniformed patrol

officers at 1 Police Plaza. PO Centore did not know DI Harrell was present at 1 Police Plaza and did not even know who DI Harrell was. PO Centore did not see any officer call any of the protestors a “bitch” nor did he witness any officers tell the protestors that they could be arrested at the beginning of the incident either (**BR 32**).

The investigation was unable to determine the identities of the uniformed patrol officers at the location. Patrol Borough Manhattan South (PBMS) did not have any detail rosters, sector maps, post-event memoranda, or unusual occurrence reports for the protest at 1 Police Plaza (**BR 33**). SRG 1, PO Centore’s command, did not have any unusual occurrence reports, detail rosters, or sector maps and only had a Roll Call on file (**BR 34**). The Roll Call solely revealed which officers were present for the day for the bicycle details for Times Square. There is no mention of a 1 Police Plaza Detail. The 5th Precinct (the Precinct of occurrence) did not have any unusual occurrence reports or post-event memoranda on file either; its Roll Call shows the officers stationed at their normal posts, but no one is listed as a protest detail (**BR 01**). The summons log from the 5th Precinct notes that the summonses were filed by officers from the 24th Precinct (**BR 01**). The 24th Precinct did not have any unusual occurrence reports or post-event memoranda (**BR 35**). 24th Precinct Roll Call revealed officers at their normal posts with no mention of a detail. The memo book for the officer who filed the summons in the summons log, PO Johnathan Guillen of the 24th Precinct, solely mentions a protest at 1 Police Plaza at 5:30 p.m. with no further information (**BR 38**). The Department Advocates Office (DAO) reported negative results for any Events or radio calls at 1 Police Plaza (**BR 36**). The Communications Division provided Event D20091914995 for a disorderly group 1 Police Plaza generated at 5:00 p.m. (**BR 37**). However, the Event only shows the 5th Precinct Patrol Sergeant as the responding unit at the location. All requests for Threat, Resistance, and Injury Reports (TRIs) returned negative results as well (**BR 39-43**). The Mass Arrest report log from Criminal Justice Bureau (CRJ) shows that officers from SRG 1, SRG 3, SRG 4, 24th Precinct, 25th Precinct, 26th Precinct, the 19th Precinct, 33rd Precinct, PSA 8, Warrant Squad, and IAB were all present at the location (**BR 63**). As previously referenced, it is unclear which officers from the Mass Arrest report log were involved in Times Square, 1 Police Plaza, or Foley Square since it is a list of arrestees who were processed at 1 Police Plaza from protests across the city. There were no concurrent investigations of this incident.

All of the video footage confirms the presence of a large group of 20 to 30 uniformed patrol officers, but there is no identifying information in any of the clips nor are the alleged actions shown because the video footage begins after most of the allegations would have taken place (**BR 02-21**). At one point in the Instagram video, located in IA#46, at 02:23, an officer can be heard saying, “You’re going to move on or you’re going to go inside,” but is not visible.

Given the overly generalized descriptions of the uniformed officers offered by civilians, even if the commands had been identified, the individual officers would be almost impossible to identify within the command. From the Event, the summons log, and the mass arrest report, it can be established that there was a large number of officers from numerous commands present at the location. In addition, some of the protest related documents were not prepared and none of the obtained Roll Calls revealed any officers assigned to the protest. Finally, from the testimony of DI Harrell and PO Centore, it can be surmised that the officers present at the location were called at an ad hoc basis from their various assignments, including some of the officers present in the Times Square response. The protestors themselves did not prepare to be at 1 Police Plaza until the arrest of the Times Square protestors. Therefore, it would be impossible for the NYPD to anticipate a protest that was not planned and prepare any of the protest related paperwork. § 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation (F) Discourtesy: Officers spoke discourteously to individuals.

Allegation (G) Discourtesy: Officers spoke discourteously to § 87(2)(b)

Allegation (H) Discourtesy: Officers spoke discourteously to § 87(2)(b)

Allegation (I) Force: Officers used physical force against individuals.

Allegation (J) Force: Officers used physical force against § 87(2)(b)

Allegation (K) Force: Officers used physical force against § 87(2)(b)

It is undisputed that after a few hours, police officers moved to clear Pearl Street and direct the group of 20 to 30 protestors onto Madison Street at the south end of Pearl Street.

In her statement to the CCRB, § 87(2)(b) explained that at approximately 5:00 p.m., she heard a recorded message being played on a speaker (LRAD) that informed the protestors that they had to disperse from the location (BR 02). Approximately 40 to 50 officers began to approach the protestors from the northern end of Pearl Street near Park Row. The protestors began to walk toward Madison Street. The officers began to shout at the group, saying, “Get out of the way. Get off the sidewalk. Fucking move. What’s your deal? Get out of here!” § 87(2)(b) saw that the officers were pushing the protestors from behind with their hands. She described the pushing as an intimidation tactic. She was not able to see which officers were specifically pushing or saying the aforementioned phrases. She felt pushes along her upper-middle back. She could not recall all the protestors who were pushed because she did not know all of their identities.

In her statement to the CCRB, § 87(2)(b) stated that she did not hear an LRAD message (BR 28). A large group of officers in uniform approached the protestors and told them that the area was now a frozen zone and they had to vacate toward Madison Street. The protestors complied and began to walk toward it. The officers pushed the protestors who got too close to the advancing officers. § 87(2)(b) heard one officer say that the protestors were “assholes” and “pieces of shit.” She described this officer as a white male in a blue uniform, standing 6’4” tall, with gray hair and a heavy-set build, who appeared to be in his 50s. She also heard many of the officers shout, “Back the fuck up.”

In his CCRB interview, § 87(2)(b) reported that approximately 60 to 100 officers approached his group, telling them that they had to leave (BR 30). He noted that the protestors walked toward Madison Street, where the officers appeared to be directing them to go. The officers walked faster than the protestors, so they quickly overcame the group. § 87(2)(b) was at the rear of the group and felt officers push the back of his bicycle. He did not turn to see them do it. He occasionally felt hands push him on his shoulder and backpack, describing the force as extremely rough. He stated that the pushing would have caused him to fall forward if he was not walking with his bicycle. He also believed that he heard the officers and the protestors shouting curse words at each other but could not remember the specific words.

In her CCRB interview, § 87(2)(b) provided a consistent statement with § 87(2)(b) and noted that she was in the group of protestors (BR 27). She also heard the LRAD message but did not hear any officers use discourteous language. She noticed that approximately 20 to 25 uniformed officers approached the group and were pushing some of the protestors, causing them to stumble forwards and fall.

In her CCRB interview, § 87(2)(b) provided a statement consistent with § 87(2)(b) (BR 26). § 87(2)(b) noted that once the LRAD message was underway, uniformed officers pushed the protestors with their hands and also pushed the protestors’ bicycles. She saw some officers push forward with their batons in front of them with two hands and using them as a way to push the protestors. § 87(2)(b) saw the protestors trip over each other as they were trying to move. She did not testify to hearing any profanity from the officers.

In his CCRB interview, § 87(2)(b) provided a statement consistent with § 87(2)(b) (BR 29). He did not hear the officers use any profanity against the protestors. He heard the officers shout only the word, “Move!” § 87(2)(b) could not see specific movements of the officers because he was at the south end of the group. He saw approximately four to five protestors fall to the ground from officers pushing them.

In her CCRB interview, § 87(2)(b) stated that she did not see the officers push or use

profanity against the protestors because once the officers indicated that the protestors had to leave, she ran towards the south end of the street to reach Madison Street (**BR 25**). She heard protestors shout, “Don’t touch me!” and “Don’t push me!” while officers shouted for the crowd to move. In his CCRB interview, § 87(2)(b) provided a similar statement, saying that he did not witness these actions because he was focused on getting to Madison Street (**BR 24**).

In his CCRB interview, DI Harrell noted that he oversaw the officers who responded to the area after being called by dispatch (**BR 31**). He stood by the parking area of 1 Police Plaza. He did not specifically know the commands of the officers who arrived but knew that most of them were in uniform and were a mix of patrol and counterterrorism. He also remembered that approximately 30 SRG bicycle officers were present. At some point in the incident, after the arrest buses arrived at 1 Police Plaza, DI Harrell began to worry that the protestors could create an unsafe environment for the police, the prisoners, and the protestors themselves because of their numbers and the fact that they were in an area that was not open to the general public. DI Harrell wanted the protestors to be kept separate from the prisoners, but the protestors kept walking up to the fence that separated the groups at the parking area of 1 Police Plaza. DI Harrell tried telling some of the protestors that they could go to the intersection with Madison Street where the second group of protestors had formed on the other side of the metal barricade. The protestors did not respond to DI Harrell’s instructions and suggestions. DI Harrell consulted the NYPD Legal officers at the location, though he could not remember their identities, and they told him that the protestors were not legally allowed to be in that area of Pearl Street since it was a frozen zone. The frozen zone meant that the area was not open to the public and was semi-private, and as such, the protestors were not allowed to gather in that area due to it being a security risk to 1 Police Plaza. DI Harrell then gathered the officers at the north end of Pearl Street and walked with them toward the protestors. DI Harrell instructed the officers to play the LRAD message instructing the protestors to disperse. DI Harrell himself also told the protestors to move southward toward Madison Street. DI Harrell acknowledged that it was his order to have the officers direct the protestors to Madison Street.

DI Harrell further explained in his interview that he had walked toward the intersection, in front of the officers and the protestors to help direct the flow (**BR 31**). When he turned around, he saw that SRG officers had moved to encircle the group of protestors. DI Harrell was too far away from the group to see the specific actions taken by the officers and the SRG officers. DI Harrell did not hear any officer say “Get off the sidewalk. Fucking move! Get the fuck out of the way!” nor any other discourteous language. He denied ever using discourteous language himself as well. Further, he did not see any officers push or use any force against the protestors to get them to move to Madison Street. He did not instruct any officers to use force to move the group.

In his CCRB interview, PO Centore noted that his SRG bicycle team stood behind the uniformed patrol officers (**BR 32**). He never saw DI Harrell during the incident but also did not know of DI Harrell either. He noted that he and the other SRG officers did not receive any instructions when they heard the LRAD message begin to play. He saw NYPD Legal officers tell several officers in white shirts that the remaining protestors in the area could be arrested. From his viewpoint, he heard the uniformed officers tell the protestors to move and walk toward them in an attempt to move the group toward Madison Street. PO Centore could not see if the protestors were complying with the orders. He did not see if the officers were pushing protestors to get them to move. He did not hear the officers use any discourteous language when telling the protestors to move. He never saw any officers use batons against the protestors to push them or in any other way. PO Centore denied doing either allegation personally as well.

As previously established, the individual identities of the patrol officers are unknown. All requests for TRI reports returned negative results (**BR 39-43**).

Security video from Camera C255 at 1 Police Plaza, located in IA#245, shows the interaction from a distance (**BR 12**). Beginning at 00:40, 20 to 30 protestors move from the right side of the frame toward Madison Street in the left side of the frame. A group of 20 to 30 uniformed officers walk behind the protestors, followed by a line of SRG bicycle officers. It is not

clear from the video footage if officers push any protestors due to the distance away from the camera. The video does not have audio. At 01:40, the protestors appear to slow and stop walking. By 02:44, a scuffle appears to break out, but it is not clearly visible. At 02:54, the SRG officers encircle the group with their bicycles. Security footage from Camera C258 at 1 Police Plaza, located in IA#247, shows the same footage from a southern angle, but it is still too far away to see any individual actions (**BR 13**).

Video footage from Camera C260 at 1 Police Plaza, located in IA#248, shows the beginning of the officers clearing the street from a much closer angle (**BR 14**). The officers and the 20 to 30 protestors are located at the bottom right corner of the frame and quickly exit the frame. There are approximately 25 uniformed officers visible in the screen and twelve SRG bicycle officers behind them. There are also at least four officers in white shirts immediately visible and five NYPD Legal officers and TARU officers. At 00:24, an officer with the LRAD can be seen in front of the SRG officers. By 00:37, the protestors start to walk away from the uniformed officers, off the frame toward Madison Street. The officers walk behind the protestors, but no officer clearly pushes any protestor. By 01:00, all of the protestors are out of the frame, and by 01:40, all of the uniformed officers are outside of the frame. At 01:52, the camera moves downward and the group is visible again. The officers do not push anyone except for § 87(2)(b) who is visible in his bright yellow bicycle helmet. The other protestors walk backwards, away from the officers, but § 87(2)(b) stops at 01:58. From his body-language, it appears that § 87(2)(b) yells at the officers. The rest of the protestors stop, pull out their phones, and begin to record § 87(2)(b) and the officers. Random uniformed officers make hand motions directing toward Madison Street. Approximately half of the protestors start walking south again, but § 87(2)(b) does not move. At 02:20, § 87(2)(b) begins to move again. An SRG officer walks to the other SRG officers and moves his hand in a circle. At 02:27, the SRG officers begin to walk around the group. The protestors continue to walk southward. No officers push anyone. At 02:41, § 87(2)(b) jerks his body away from an officer. And several officers surround him. Their motions are not visible. The other uniformed officers quickly form a line in front of § 87(2)(b) to separate him from the protestors. No officer is visibly pushing the group of protestors at this point as well. At 02:53, the SRG officers quickly run around the remaining protestors and encircle them with their bicycles.

Instagram video provided by § 87(2)(b) located in IA#46, captures the same incident from the angle of the protestors themselves and captures the entire time that the officers encircle the group of protestors (**BR 21**). The video begins with the protestors standing on the sidewalk as the group of uniformed officers approach. A protestor shouts at the officers, using profanity, and an officer responds, "Come on, show's over." The officers shout, "Let's go!" and "You guys gotta move." The protestors shout that it is a public sidewalk. The one male protestor continues to shout profanities at the officers. The officers shout back that the area is a frozen zone and the protestors have to leave the area. The officers say, "Please move back." No officer visibly pushes any protestor. § 87(2)(b) is visible at the back of the protestors with his bright yellow helmet. The officers continue to say, "Please keep moving." The protestors shout that the order is "fucking bullshit." At 02:20, the officer off screen tells the yelling protestor, "You're going to move on or go inside," as previously referenced. The protestors shout that they will not leave the area. The recorder walks up to § 87(2)(b) and § 87(2)(b) (in a brown jacket) at the back of the group. The protestors do not walk. At 03:12, an officer walks up to one of the protestors and tells him, "Let's move this bike," while patting the rear wheel. A protestor runs up and shouts, "Don't fucking touch his shit, you fucking pig!" At 03:18, the officers start to walk forward and the protestors do the same. The LRAD message begins and tells the protestors that they have to leave. The officers do no push anyone while they walk. An officer touches the back wheel of a bicycle and the protestor shouts, "Don't fucking touch me. Get your hands off me bro." The protestors keep walking, but the officers do not touch them. By 03:57, the recorder has backed up to the front of the group. Officers shout, "Let's go! Let's go!" At 04:13, the protestors stop moving. § 87(2)(b) can be seen turning his head backward to argue with an officer. A protestor off the screen says, "Of course

fucking faster.” § 87(2)(b) described the officer as a white male, standing 5’9” tall, heavy set, with dark hair, who appeared to be in his late 40s to early 50s, and in a blue uniform. § 87(2)(b) looked at the first officer and said, “Pussy. Take off your belt and come find me some other time and we will see about this.” The officer backed away from § 87(2)(b) and appeared to speak with other officers. Some of these officers then walked in front of § 87(2)(b) and separated him from the people next to him. The first officer said, “OK, now.” Eight to nine officers all grabbed at § 87(2)(b) and tried to pull him from his bicycle. § 87(2)(b) could not describe these officers because he was focused on staying on his bicycle. § 87(2)(b) quickly wrapped his legs around the frame of his bicycle and reached his arms into the fence to prevent the officers from taking him off his bicycle and arresting him. § 87(2)(b) felt officers punching the sides of his torso and back but could not see the officers because he closed his eyes and faced the fence. He did not know how many punches he received. As he opened his eyes, he saw the first officer run up to him and smile. That officer then punched § 87(2)(b) two times into the face. After approximately 30 seconds of struggle, the officers managed to pull § 87(2)(b) off his bicycle. § 87(2)(b) felt the officers hold him and then throw him to the ground and grab his arms to handcuff him. § 87(2)(b) landed onto the ground on his stomach and was face-down. He felt an officer standing on his right forearm arm and heard the officers yell at him to put his hands behind his back. § 87(2)(b) felt officers kicking and punching him but could not see who they were. He could not remember or see any of the officers. He heard officers yell at him to stop resisting. § 87(2)(b) did not believe that he was resisting with his body and lying still instead. After twenty seconds of struggling, the officers managed to grab § 87(2)(b)’s arms and place him into handcuffs. They stood him up and walked him into 1 Police Plaza. § 87(2)(b) noted that he never said he could not breathe and never had trouble breathing.

In her CCRB interview, § 87(2)(b) noted that she stood next to § 87(2)(b) as they walked southward to Madison Street (**BR 22**). She saw a uniformed officer run up to § 87(2)(b) and pull him by his arm off his bicycle, but then she lost sight of him because an officer grabbed her and handcuffed her. While she was waiting with her arresting officer at the fence by 1 Police Plaza, she turned her head because she heard § 87(2)(b) screaming. She saw that he was face-down on the ground, twisting his body while several officers tried to grab his arms. One officer had his knee on § 87(2)(b)’s back as well. She could not remember what he was saying. She turned back toward 1 Police Plaza and lost sight of § 87(2)(b).

In his interview, § 87(2)(b) stated that he could not see § 87(2)(b) well enough to make out individual actions of § 87(2)(b) or the officers (**BR 29**). However, § 87(2)(b) saw an officer punch § 87(2)(b) in the face. He also saw officers pull § 87(2)(b) off his bicycle, but at that point, § 87(2)(b)’s view was completely obstructed. He described the officer who punched § 87(2)(b) as a white male, standing 5’9” tall, and in a blue uniform.

§ 87(2)(b) reported that she saw four uniformed officers grab § 87(2)(b) and push him to the ground (**BR 28**). She did not see anything else happen to § 87(2)(b) because she ran away from the officers.

§ 87(2)(b) stated that at one point in the group of officers and civilians, he saw § 87(2)(b) on the ground with five to ten uniformed officers standing above him and holding him down (**BR 24**). § 87(2)(b) only saw officers surround § 87(2)(b) and push him against the fence but did not see § 87(2)(b) again (**BR 25**). § 87(2)(b) did not see the officers and § 87(2)(b) (**BR 26**). § 87(2)(b) did not see § 87(2)(b) (**BR 27**).

Neither DI Harrell nor PO Centore saw the interaction between officers and § 87(2)(b) and both of them denied ever interacting with § 87(2)(b) personally (**BR 31-32**).

Request for TRI reports for § 87(2)(b) yielded negative results (**BR 42**).

Instagram video, located in IA#46, shows part of § 87(2)(b)’s interaction with the officers (**BR 21**). As previously referenced, the video shows the officers walking slowly toward the protestors to move them towards Madison Street. § 87(2)(b) stands at the back of the group toward the right of the frame, in his bright yellow helmet. At 04:21, § 87(2)(b) stands upright

and appears to say something to the officers surrounding him. He continues to nod his head at the officers like he is speaking with them. The recorder is too far away for anything to be heard. At 04:43, the recorder zooms into § 87(2)(b) and he can be seen holding his own finger up at an officer and wagging it. At 05:12, § 87(2)(b) again waves his hand at an officer in a motion that suggests that he is trying to explain that he was trying to move forward. At 05:26, the view is partially obstructed, but an officer tries to grab § 87(2)(b)'s hand and he flips his hand away. At least four uniformed officers rush towards him and push him against the fence. He becomes surrounded by officers, as the recorder is forced back. The officers all appear to be white males in blue uniforms with face masks and one possibly Hispanic or Asian male in blue uniform with a face mask; all of the officers wear police hats. The officers are virtually indistinguishable from the crowd. By 05:37, § 87(2)(b) is no longer visible.

§ 87(2)(b)'s short cell phone video from Twitter, contained in IA #7, captures a portion of this interaction (**BR 15**). The video begins with a uniformed officer from off-screen attempt to grab § 87(2)(b)'s arms, which he then waves away from the officers. Someone shouts, "Grab him!" and four uniformed officers push § 87(2)(b) against the fence. They attempt to pull him off the fence, but § 87(2)(b) grabs and holds onto it. By 00:10, § 87(2)(b) is no longer visible to the recorder. Before the recorder was too far away, the officers appeared to be two to three white males in blue uniform with face masks and one Hispanic or Asian male in blue uniform with a face mask. The recorder runs away from the group as the SRG officers move to encircle the group.

PO Brown's BWC video, located in IA #309, has the best view of § 87(2)(b) of all the BWC footage (**BR 10**). However, it is still mostly obstructed. At 01:37, an unidentified officer shouts, "Start putting cuffs on people! Move!" At 01:48, § 87(2)(b) can be seen from across the group of uniformed officers. From 01:50 to 02:50, he is not visible because PO Brown walks away to encircle the protestors. At 02:50, PO Brown walks northward back on Pearl Street. He passes by four officers in blue uniforms and two officers in white shirts struggling with § 87(2)(b) on the curb. § 87(2)(b) is face down while an officer shouts, "Put your hands behind your back." At 02:58, one of the officers in blue uniform falls onto § 87(2)(b) and he responds that he cannot breathe. The officer regains his balance and squats back up. § 87(2)(b) shouts at the officers, "Please stop!" Two more officers in white shirts lean over him in addition to the original officers. The officers shout at § 87(2)(b) to stop resisting. At 03:03, the officers attempt to grab his arms and put him in zip tie handcuffs. § 87(2)(b) shouts that he is not resisting. Three of the officers are white males in blue uniform with face masks and police hats. One of the officers is a white male in a uniform with a white shirt. At 03:08, PO Brown walks away from the officers.

PO Centore's BWC, located in IA #310, catches another angle of § 87(2)(b) at the end of his struggle with the officers (**BR 11**). At 03:32, PO Centore walks past the group of officers with the same descriptions as referenced above in PO Brown's footage still handcuffing § 87(2)(b) as he shouts, "Help!" several times. At 03:35, PO Centore walks up to the group, grabs § 87(2)(b) under his arms, and lifts him from the ground. § 87(2)(b) shouts, "I'm not resisting!" PO Centore tells § 87(2)(b) "Knock it off. Don't move." § 87(2)(b) shouts that he is not moving. He asks PO Centore to adjust his glasses, and PO Centore does so. At 04:16, he passes § 87(2)(b) to a uniformed officer and does not interact with him further.

Security video from Camera C260 from 1 Police Plaza, located in IA#248, shows § 87(2)(b)'s interaction from above but at a distance (**BR 14**). From 02:27 to 02:42, § 87(2)(b) argues with the officers but moves southward. At 02:42, the officers grab him and push him against the fence. Due to the distance and the number of officers surrounding him, individual actions cannot be seen. These officers similarly are in uniform and wearing police hats; all appear to be white males. From 02:42 to 03:07, approximately ten officers in blue uniform and police hats attempt to pull § 87(2)(b) off the fence. At 03:07, the officers manage to pull him from the fence. From 03:07 to 03:13, the officers surround him and appear to try and gain a hold of him, but § 87(2)(b) resists and attempts to stand. At 03:13, the officers carry him by his shoulders and legs toward the curb. At 03:14, the officers appear to stumble and drop § 87(2)(b) on the ground.

on the curb by a tree. From 03:15 to 04:10, officers then push each other in an attempt to get to § 87(2)(b) who appears to be on the ground. He is not visible due to the number of officers encircling him. The officers struggle with him on the ground, but no one appears to be punching him. At 03:53, the officers are still leaning over § 87(2)(b) and appear to be still trying to handcuff him. His legs kick up on the ground toward the officers, causing an officer to stumble. At 04:10, PO Centore walks past in his yellow SRG uniform and lifts § 87(2)(b) from the ground and hands him to a uniformed officer. The officers wait with § 87(2)(b) by the tree until 06:48, when they walk with him to 1 Police Plaza out of the frame. Nowhere in the video can an officer be seen clearly punching § 87(2)(b) in the face.

The other videos obtained by the investigation do not capture § 87(2)(b)'s interaction with the officers.

As previously established, the investigation is unable to identify the uniformed patrol officers present at the location who interacted with § 87(2)(b) or any of the protestors. From the video footage available, it is clear that § 87(2)(b) had a protracted argument with the officers that lead to the officers' use of force. The footage, especially the Instagram video, is not able to capture the audio of his argument, nor is the main officer with whom § 87(2)(b) argued visible. Therefore, the investigation is unable to even visually identify the officer who allegedly used discourteous language and later allegedly punched § 87(2)(b) in the face. The footage clearly shows the officers push § 87(2)(b) against the fence and their extended pulling of § 87(2)(b) away from the fence while he holds onto it. It is not visible in any of the footage if officers used hand strikes while attempting to pull § 87(2)(b) from the fence due to the large number of bodies in the area obscuring a clear view from any angle. The takedown of § 87(2)(b) is visible in the security video footage, as the officers attempt to handcuff and gain control of § 87(2)(b) despite his physical resistance. The footage does not show officers use hand strikes and foot strikes while § 87(2)(b) is lying on the ground. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Allegation (R) Abuse of Authority: An officer threatened to arrest § 87(2)(b)

Allegation (S) Discourtesy: An officer spoke discourteously to § 87(2)(b)

In her CCRB interview, § 87(2)(b) stated that once the interaction between the officers and protestors became chaotic, she tried to convince the officers to let the protestors leave (BR 26). She told a white male officer who appeared to be 6' tall with a slim build and wearing a polo shirt that she was an attorney and could try to get the protestors to leave without officers escalating the situation. The officer in the polo shirt told § 87(2)(b) that she was free to try. § 87(2)(b) then approached the line of advancing uniformed officers and spoke with one of them. She asked a white male uniformed (blue or white) officer who had blond hair and a medium build why he and his colleagues were pushing the protestors. He told § 87(2)(b) that she had to leave. She explained that she was an attorney and allowed to be in the area. The officers responded, "If you don't move, you'll get arrested too. I know you're an attorney. I don't give a fuck who you are. I don't care and I'll arrest you too." § 87(2)(b) then walked away from the officers and toward Madison Street because she feared police violence.

In her CCRB interview, § 87(2)(b) provided a statement consistent with § 87(2)(b) (BR 22). She saw § 87(2)(b) approach the line of officers and tell them that she was a lawyer and had spoken with the NYPD Legal team who had agreed to give her five minutes to move protestors. An officer responded to § 87(2)(b) "I don't give a fuck who you are or what's going on. You guys need to clear out." § 87(2)(b) did not remember any description of the officer, except that he

was in a white shirt.

§ 87(2)(b) remembered that § 87(2)(b) approached the line of officers and informed them that she was an attorney (BR 25). An officer told § 87(2)(b) “You better move or I will arrest you too.” § 87(2)(b) did not remember the description of the officer.

§ 87(2)(b) and § 87(2)(b) did not witness or mention the interaction between § 87(2)(b) and the officers (BR 24, 27-30).

Neither DI Harrell nor PO Centore interacted with, witnessed, or even remembered § 87(2)(b) (BR 31-32).

Instagram video, located in IA#46, contains footage of a brief interaction between § 87(2)(b) and an officer (BR 21). Without the proper audio, it is difficult to know if the interaction shown was the one alleged by § 87(2)(b). At 04:28, § 87(2)(b) seen in her gray Harvard hoodie in the middle of the crowd, stands in front of the line of officers. The officers and the LRAD instruct the protestors to leave. An officer in a blue uniform with blond hair in a crew-cut and a facemask appears to be speaking with § 87(2)(b). The recorder of the video is too far away to capture any other distinguishing features of the officer. The officer and § 87(2)(b) gesticulate with their hands and speak until 4:47, when another protestor steps between the two of them. § 87(2)(b) walks away and exits the frame of the video. She returns back into the frame at 04:57, touching § 87(2)(b)'s arm and gesturing that § 87(2)(b) should keep moving. § 87(2)(b) motions for the other protestors to leave as the officers move to surround § 87(2)(b). From her mouth, it is apparent that § 87(2)(b) is telling the protestors, “Keep moving.” She continues to walk with and direct the protestors until 05:28. At 05:28, the officers surround § 87(2)(b) and the recorder zooms in on him, losing the view of § 87(2)(b).

The other videos obtained by the investigation do not show § 87(2)(b) interaction with the officers (BR 02-20).

As previously established, the investigation is unable to determine the identities of the uniformed officers at the protest. Instagram video provides footage of an interaction that could possibly be the one alleged by § 87(2)(b). It is unclear without the audio; however, the gesticulations between § 87(2)(b) and the officer appear to match those of an argument. However, the officer in the video matches § 87(2)(b) description of the officer who threatened her with arrest and used discourteous language. § 87(2)(b), § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Allegation (T) Force: An officer used physical force against § 87(2)(b)

Allegation (U) Force: An officer used physical force against § 87(2)(b)

In her CCRB interview, § 87(2)(b) stated that once she and the other protestors had been apprehended, they were lined up to be processed at 1 Police Plaza (BR 22). While waiting, she spoke with her friend § 87(2)(b) told § 87(2)(b) that officers had pulled her by hair and pushed her to the ground during the interaction between the protestors and officers. When § 87(2)(b) and § 87(2)(b) waited in the cells, § 87(2)(b) saw § 87(2)(b) pull out loose clumps of hair from her head. § 87(2)(b) did not see § 87(2)(b)'s scalp. She did not notice any other injuries on § 87(2)(b). She did not have any further information from § 87(2)(b).

§ 87(2)(b) declined to participate in the investigation and refused to provide a statement (BR 44).

§ 87(2)(b) also mentioned that while they waited in line for processing, § 87(2)(b) complained that officers pulled out her hair when the officers apprehended the protestors (BR 30). He did not personally see this action take place.

§ 87(2)(b) testified that she stood next to § 87(2)(b) when the SRG officers encircled the group (BR 28). § 87(2)(b) and § 87(2)(b) tried to run from the officers, but two uniformed officers

Allegation (X) Force: Police Officer Stephen Centore used physical force against § 87(2)(b)

In her CCRB interview, § 87(2)(b) stated that similar to § 87(2)(b) she spoke with § 87(2)(b) while they waited in line for their processing (BR 22). § 87(2)(b) told § 87(2)(b) that an officer slammed § 87(2)(b) to the ground, lifted her by her hair, and then dragged her over a bicycle, causing her sweatshirt to come off her. While they were in the cells, § 87(2)(b) noticed that § 87(2)(b) had an open scrape on her hip the size of a quarter or half dollar, bloody knees, and loose clumps of hair on her head.

As previously stated, § 87(2)(b) was uncooperative with the investigation and did not provide a statement (BR 23).

In her CCRB interview, § 87(2)(b) stated that she was with § 87(2)(b) at the southern end of the group, nearest Madison Street, as the SRG surrounded the protestors (BR 27). She saw two officers in yellow bicycle vests lift § 87(2)(b) off the ground by her torso, pushed her down onto the ground stomach first, and handcuffed her. The two officers lifted her from the ground and walked with her back toward 1 Police Plaza outside of § 87(2)(b)'s line of sight.

§ 87(2)(b) and § 87(2)(b) did not witness or describe any interaction between § 87(2)(b) and the officers (BR 24-26, 28-30).

PO Seddo's BWC footage, located in IA#308, contains the best view of this portion of the incident (BR 09). The video begins with PO Seddo and other SRG bicycle officers moving to surround the protestors on Pearl Street. At 02:22, the SRG officers have surrounded the protestors, blocking them with their bicycles. PO Seddo stands to the right of PO Centore. § 87(2)(b) wearing a black hooded sweatshirt stands in front of PO Seddo. At 02:27, § 87(2)(b) leans over the rear wheel of PO Centore's bicycle. She shouts, "Why the fuck would you do that?" [She is shouting at the officers arresting § 87(2)(b) who are not visible to the BWC] At 02:28, PO Centore pushes her back with his right shoulder. PO Seddo and PO Centore tell her, "Back up. Back up!" § 87(2)(b) ignores them, leans forward and tries to pass through PO Centore's bicycle while shouting again, "Why the fuck would you do that?" PO Centore tells her, "Back up!" At 02:30-31, PO Centore pushes § 87(2)(b) with his right arm as § 87(2)(b) lifts her right arm. § 87(2)(b) twists her arm with PO Centore's arm inside. She brings her arm down, putting PO Centore's hand in her armpit area. PO Centore pulls his hand backwards, but since § 87(2)(b) is attached, she is pulled forward into his bicycle. She screams. The bicycle and § 87(2)(b) fall down out of the frame. § 87(2)(b) is heard screaming and the bicycle is heard scraping against the ground. The other protestors in front of PO Seddo watch behind him and shout, "Oh my god!" § 87(2)(b) is not seen again.

PO Centore's BWC footage located in IA #310 does not capture his pushing and pulling of § 87(2)(b) because it happens to the right of his BWC frame capture (BR 11). However, at 02:33, the video shows § 87(2)(b) fall to the ground on top of his bicycle. PO Centore then quickly grabs § 87(2)(b) back of her sweatshirt. He then pulls her over his bicycle, but she is caught in it, and the bicycle is pulled as well. § 87(2)(b) screams. By 02:38, PO Centore pulls § 87(2)(b) free from the bicycle as she rolls along the sidewalk. PO Centore pushes her forward and shouts, "Hands behind your back!" Sgt. Martinez walks over and assists in holding § 87(2)(b) down while PO Centore locks the handcuffs. § 87(2)(b) screams at the officers, asking if they are afraid of her. At 03:08, PO Centore finishes handcuffing § 87(2)(b). PO Centore lifts her by her arms and tells her to stand up. He then walks with her toward 1 Police Plaza. He hands her off to a uniformed officer at 03:35. He does not interact with her again.

PO Melendez's BWC footage, located in IA#255, shows the moment when § 87(2)(b) falls and is pulled over the bicycle (BR 02). At 02:11, PO Centore and § 87(2)(b) stand at the top right frame. At 02:13, PO Centore pushes § 87(2)(b) with his right hand. § 87(2)(b) lifts her arm and bends her elbow, locking PO Centore's hand. She then pulls her arm down, further locking his hand under her armpit area. At 02:14, PO Centore pulls back with his right arm and releases his bicycle with his left. § 87(2)(b) is pulled toward him. He attempts to grab her, but she falls

forward as his bicycle falls. PO Centore grabs § 87(2)(b) by her hoodie and pulls it, yanking twice, and § 87(2)(b) who is still entwined with the bicycle, comes forward with the bicycle. At 02:19, she is no longer visible.

Sgt. Martinez's BWC footage in IA#259 captures part of § 87(2)(b) handcuffing (BR 06). Sgt. Martinez stands facing the protestors at the barricades along Madison Street. At 00:53, PO Centore pulls § 87(2)(b) across the ground to Sgt. Martinez's left. § 87(2)(b) kicks her legs and lies on her side. PO Centore turns her onto her stomach and holds her arms behind her back. § 87(2)(b) screams at the officers, "Why are you fucking touching me? Let me go!" At 01:20, PO Centore finishes handcuffing § 87(2)(b). At 01:25, he lifts her by her arms. She is no longer visible after 01:27.

Instagram video in IA#46, shows the interaction between § 87(2)(b) and PO Centore from a worse angle from 05:56 to 06:03 (BR 21).

Video footage from security camera C260 at 1 Police Plaza, located in IA#248, shows § 87(2)(b) apprehension as well (BR 14). At 03:08, at the bottom right frame, as § 87(2)(b) is being arrested and is on the ground, § 87(2)(b) leans over PO Centore's bicycle. The struggle with the hooked arm is seen from an obscured angle. At 03:10, PO Centore pulls her over the bicycle and from 03:14 to 03:50, PO Centore holds her down, handcuffs her with Sgt. Martinez, and lifts her.

The CCRB identified PO Centore as the subject officer from the BWC footage. In his CCRB interview, PO Centore acknowledged that he was the officer who interacted with § 87(2)(b) (BR 32). Once he and the other officers had been directed to encircle the protestors by several commanding officers, many of whom he did not know, he and PO Seddo moved to block the group at the southern end. At that point, § 87(2)(b) stood in front of PO Centore and leaned over his bicycle. He was unsure why she had done so but believed that she was trying to reach someone being arrested behind him (identified by the investigation as § 87(2)(b)). § 87(2)(b) leaned over PO Centore's bicycle bag with her right hand and reached behind PO Centore's right arm near his firearm. PO Centore did not believe that she was reaching specifically for his firearm, however, the presence of her hand near it created a safety hazard because she could have grabbed it if she wanted or knocked into it, even without meaning to. PO Centore nudged and tried to push § 87(2)(b) backwards, but she tried again to push past him. § 87(2)(b) reached out her arm and tried to push through PO Centore. § 87(2)(b) appeared angry because she was screaming the entire time. PO Centore clarified that he did not know her normal demeanor so he could not judge if she was particularly angry. He could not remember the demeanor of the protestors as a whole due to his focus on his immediate area. He remembered the area was chaotic.

PO Centore then tried to swipe § 87(2)(b) arm away from his for another time (BR 32). § 87(2)(b) pushed his arm up and managed to hook onto his arm near the elbow and triceps with her arm. PO Centore tried to pull his arm backwards, but § 87(2)(b) remained attached to his arm. PO Centore, by pulling his arm away, managed to pull § 87(2)(b) as well. He released his bicycle with his left hand, letting it fall to the ground. He then reached with his left hand to try and pull his arm free from § 87(2)(b) and separate her arm from his. PO Centore had to release the bicycle because he needed his left arm free for the struggle. The forward motion of his pull dragged § 87(2)(b) with him, over the bicycle. He did not intend to pull her over the bicycle, but it was a result of her motion during her fall while being attached to his arm. PO Centore noted that the physical momentum influenced his actions, and he did not plan to take this action.

PO Centore then handcuffed § 87(2)(b) with another officer (BR 32). He did not have to take her to the ground because she was already on the ground. He did not recall any resistance from § 87(2)(b) while he handcuffed her. He believed that she was compliant with it even though she was yelling some statements that he could not remember. At that time, PO Centore placed her under arrest and handed her to a patrol officer.

PO Centore noted that he kept a canister of OC spray, a fire extinguisher, bicycle wrenches, his department cell phone and other personal effects in his bag (BR 32). He noted that he would not want any person to have access to his bag because the items could be used against the

officers as weapons if someone grabbed them or they spilled out. The bag was zipped at the time of the incident. PO Centore did not know if § 87(2)(b) was trying to get into his bag. However, PO Centore noted that for everyone's safety, he wanted to keep people's hands away from his firearm and bag. He did not know § 87(2)(b) intentions and did not know if the protestors were willing to turn violent due to the struggle with the patrol officers. When he was shown BWC footage of the incident, he noted that it did not help his independent recollection of the interaction. Finally, PO Centore believed that § 87(2)(b) was apprehended for disorderly conduct and being a part of the group that refused to leave even after being given instructions to do so. PO Centore stated that did not prepare a TRI report for § 87(2)(b) because he did not know if she was injured and because he was not her arresting officer since he and the other SRG officers had to continue to oversee the protest response.

DI Harrell did not witness any interaction between § 87(2)(b) and officers (**BR 31**).

A request for any TRI reports and Medical Treatment of Prisoner Report prepared for § 87(2)(b) returned negative results (**BR 43, 64**).

NYPD Patrol Guide Procedure 221-01 states that officers must use "only the reasonable force necessary to gain control or custody of a subject," (**BR 65**). It further adds that, "In determining whether the use of force is reasonable, members of the service should consider the following: nature and severity of the crime/circumstances; actions taken by the subject; duration of the action; immediacy of the perceived threat or harm to the subject, members of the service, and/or bystanders; whether the subject is actively resisting custody; whether the subject is attempting to evade arrest by flight; number of subjects in comparison to the number of MOS; size, age, and condition of the subject in comparison to the MOS; subject's violent history; presence of hostile crowd; subject apparently under the influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence." NYPD Patrol Guide Procedure 221-02 instructs officers to "apply no more than the reasonable force necessary to gain control" (**BR 66**).

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

PO Centore testified that his hooking of § 87(2)(b) arm during the second push was unintentional and thus the resulting pull, takedown, and pull of her over the bicycle were also unintentional. Ultimately, the video footage does not establish PO Centore's and § 87(2)(b) movements clearly and is inconclusive for determining whether PO Centore's hooking, takedown and pull of § 87(2)(b) were intentional law enforcement actions or whether they were accidental consequences of his attempt to keep § 87(2)(b) away from his bicycle and his right side. While the videos show that his arm is hooked by § 87(2)(b) it is unclear how much of the hooking was also possibly due to his actions, since it is obscured in different ways from every angle. § 87(2)(g)

§ 87(2)(b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) and § 87(2)(b) have been parties (**BR 46-53**).
- PO Centore has been a member of service for 17 years and has been a subject in five other CCRB complaints and 20 allegations, of which three were substantiated.

- Case 202004301 involved one substantiated allegation of a discourteous action against PO Centore. The Board recommended Command Discipline A and the NYPD discipline is pending.
- Case 202007535 involved substantiated allegations of physical force and hitting against an inanimate object against PO Centore. The Board recommended Charges and the NYPD discipline is pending.
- § 87(2)(g) [REDACTED]

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- According to the NYC Office of the Comptroller, only § 87(2)(b) filed a Notice of Claim with the City of New York claiming unnecessary force causing physical injuries and seeking \$1,000,000 as redress (**BR 68**). A 50H hearing was held on § 87(2)(b) (**BR 67**).
- § 87(2)(b) [REDACTED]

Squad: 3

Investigator:	Michael Miskovski	Inv. Michael Miskovski	03/23/2022
	Signature	Print Title & Name	Date
Squad Leader:	Olga Golub	IM Olga Golub	03/23/2022
	Signature	Print Title & Name	Date
Reviewer:			
	Signature	Print Title & Name	Date